

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

DAVID TROSKY SUMMERS,
Plaintiff,
v.
KEVIN FRANCOM et al.,
Defendants.

**DISMISSAL ORDER
& MEMORANDUM DECISION**

Case No. 2:13-CV-398 TS

District Judge Ted Stewart

Plaintiff, inmate David Trosky Summers, filed this *pro se* civil rights suit, *see* 42 U.S.C.S. § 1983 (2013), proceeding *in forma pauperis*, *see* 28 *id.* 1915. Reviewing the Complaint under § 1915(e), in an Order dated December 23, 2013, the Court determined Plaintiff's Complaint was deficient. The Court then gave Plaintiff directions for curing the deficiencies, sent him a "Pro Se Litigant Guide," with a blank-form civil rights complaint, and ordered him to cure the deficiencies within thirty days. More than fifty-six days later, Plaintiff has yet to file anything new..

IT IS THEREFORE ORDERED that Plaintiff's Complaint is **DISMISSED** without prejudice for failure to state a claim under § 1915(e)(2)(B)(ii), failure to follow Court orders, and failure to prosecute, *see* DUCivR 41-2. This case is **CLOSED**.

DATED this 18th day of February, 2014.

BY THE COURT:



CHIEF JUDGE TED STEWART
United States District Court